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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/754,958	01/09/2004	Troy L. Robins	3036	8847
23618	7590	05/17/2006	EXAMINER	
CHASE LAW FIRM L.C. 4400 COLLEGE BOULEVARD, SUITE 130 OVERLAND PARK, KS 66211			MACARTHUR, VICTOR L	
			ART UNIT	PAPER NUMBER
			3679	

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/754,958	ROBINS, TROY L.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Victor MacArthur	3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 07 March 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-5,10,12-14,16-18 and 20 is/are pending in the application.
- 4a) Of the above claim(s) 16-18 and 20 is/are withdrawn from consideration.
- 5) Claim(s) 1-5,10 and 12 is/are allowed.
- 6) Claim(s) 13 and 14 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

## **DETAILED ACTION**

### ***Election/Restrictions***

Claims 16-18 and 20 remain withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 10/11/2005.

### ***Response to Amendment***

Withdrawn claims 16-18 and 20 ultimately depend from canceled claim 15. Claims 16-18 and 20 should be either canceled or amended to depend from a non-canceled claim.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 13 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Lin (U.S. Patent 5,975,592).

Claim 13. Lin discloses (figs.3 and 4) a latching mechanism said latching mechanism comprising: a housing (3); a locking pin (7) having a free end (bottom end of 7) for reciprocative movement between a release position within said housing and a normal locking position outside said housing; first means for biasing (9'', 5) said free end of said locking pin towards said release position within said housing; second bias means for biasing (9') said free end of said locking pin

towards said locking position outside said housing, said second bias means including a spring biased arm (22) connected to said locking pin and movable between first and second positions, said spring biased arm having a normal first position presenting a bias greater than said first bias means wherein said spring biased arm urges said free end of said locking pin towards said normal locking position outside said housing, said second position of said spring biased arm achieved by a user manipulation thereof to present a bias on said pin less than said first bias means wherein said first bias means urges said locking pin to said release position within said housing. The Lin latching mechanism is fully capable of performing the intended use limitation of being for coupling two nestable shanks in a selected extension therebetween, each shank having at least one aperture along a longitudinal extent thereof for alignment therebetween wherein said first position of said spring biased arm of said second bias means urging said locking pin through aligned apertures of the first shank and second nested shanks to join the first and second shanks, said second position of said spring biased arm allowing for displacement of the locking pin to a position outside the aligned apertures to release the first and second shanks.

Claim 14. Lin discloses the latching mechanism as claimed in claim 13 wherein said first bias means comprises a first spring (9'') coupled to said locking pin, a movement of said spring towards a normal position (compressed position) urging said locking pin (via 5) to said release position.

*Allowable Subject Matter*

Claims 1-5, 10, 12 are allowed. The following is an examiner's statement of reasons for allowance:

Claims 1-5 are allowed for reasons stated in the previous office action.

Claim 10 is allowed since it has been amended to include the allowable claim 11 subject matter detailed in the previous Office Action.

Claim 12 depends from claim 10 and is thus similarly allowed.

***Response to Arguments***

Applicant's arguments with regard to the claim rejections have been fully considered but they are not persuasive.

Applicant argues that claim 13, as newly amended, is allowable over the prior art. This is not persuasive since the prior art discloses all of the limitations present in claims 13 and 14, within the broadest reasonable interpretation, as is detailed in the rejection above.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor MacArthur whose telephone number is (571) 272-7085. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-3600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197.

  
VLM  
May 11, 2006



DANIEL P. STODOLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600